

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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<b>IN RE:</b>	:	
	:	
<b>EUSTACE O. UKU,</b>	:	<b>Bankruptcy No. 21-21712-CMB</b>
	:	
<b>Debtor.</b>	:	<b>Chapter 13</b>
	:	
	:	<b>Related to Doc. No. 1</b>
<hr/>	:	

**ORDER**

**AND NOW**, this **10th** day of **August, 2021**, whereas Debtor filed a previous case in this Court at Case No. 20-21650-CMB, and whereas at the time of dismissal the Court declined to dismiss with prejudice but advised that should the Debtor refile for bankruptcy protection, depending upon the circumstances and particularly the timing of any subsequent filing, the Court would consider whether to issue a rule to show cause as to why the case should not be dismissed with prejudice, it is hereby **ORDERED, ADJUDGED, AND DECREED** that:

- (1) Any response to this Order shall be filed on or before **August 17, 2021**.
- (2) A status conference to address this new filing shall be held on **September 2, 2021, at 10:00 A.M.** via the *Zoom Video Conference Application* (hereinafter "Zoom"). Zoom participation instructions are set forth herein.
- (3) An evidentiary hearing shall be held on **September 15, 2021, at 9:00 A.M.**, at which time Debtor shall appear and show cause as to why the case should not be dismissed with prejudice based on the concerns raised by the Court at the hearing held on January 27, 2021 in

Case No. 20-21650-CMB. Due to the ongoing public health crisis, the evidentiary hearing shall be held entirely by video.<sup>1</sup>

(4) On or before **August 27, 2021**, the Debtor shall file witness<sup>2</sup> and exhibit lists using the attached forms. **Counsel is responsible for ensuring that all witnesses have been supplied with a copy of the exhibits in advance of the Zoom Hearing. Screen sharing will not be permitted during the evidentiary hearing.**

(5) On or before **August 27, 2021**, the Debtor shall deliver to the Court three complete copies of exhibits.

- a. All exhibits shall be pre-marked by counsel using exhibit labels. Debtor shall use exhibit letters. Each exhibit shall also be pre-marked with the date of the evidentiary hearing.
- b. If Debtor's exhibits cumulatively total in excess of 20 single-sided pages, the exhibits shall be bound in a three-ring binder, separated by a tabbed divider page.
- c. The lower right-hand corner of each page of the collective exhibit document shall be consecutively numbered (Bates Stamp numbering) from the first page to the last page, independent of exhibit identification numbers previously placed on the exhibits.

(6) All parties (including counsel and witnesses) must participate remotely in the evidentiary hearing by using Zoom.

(7) To join the status conference and evidentiary hearing, please initiate by using the following link 15 minutes prior to your scheduled hearing times:

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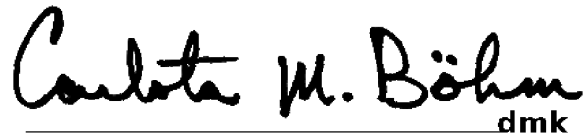
<sup>1</sup> This includes the remote examination of witnesses, which is permissible under Federal Rule of Civil Procedure 43(a), made applicable herein by Federal Rule of Bankruptcy Procedure 9017, "[f]or good cause in compelling circumstances and with appropriate safeguards[.]"

<sup>2</sup> The Court does not anticipate the testimony of witnesses other than the Debtor.

<https://www.zoomgov.com/j/16143800191>, or alternatively, attend by using the following Meeting ID: 161 4380 0191. **Counsel shall be responsible for distributing this link and Meeting ID to any witnesses or other hearing participants.**

(8) ALL HEARING PARTICIPANTS ARE REQUIRED TO REVIEW AND COMPLY WITH THE ZOOM PROCEDURES, which can be found at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/cmb-proc-videohrg.pdf>. **Counsel shall ensure that all witnesses have access to Zoom and have reviewed and will comply with the Court's posted procedures.**

FILED  
8/10/21 9:16 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

Handwritten signature of Carlota M. Bohm in black ink. The signature is written in a cursive style. To the right of the signature, the letters "dmk" are printed in a small, bold, sans-serif font.

Carlota M. Bohm  
Chief United States Bankruptcy Judge

**EXHIBITS FILED ON BEHALF OF:** \_\_\_\_\_

**Case No.** \_\_\_\_\_

**Matter** \_\_\_\_\_

**Doc. No.** \_\_\_\_\_

**Date of Evidentiary Hearing** \_\_\_\_\_

[illegible]

**WITNESS LIST FILED ON BEHALF OF:** \_\_\_\_\_

**Case No.** \_\_\_\_\_

**Matter** \_\_\_\_\_

**Doc. No.** \_\_\_\_\_

**Date of Evidentiary Hearing** \_\_\_\_\_

<b>Name and Title of Witness</b>	<b>If anyone will be in the room with the witness during testimony, provide the identity of that person (name/title/relationship to witness) and the purpose of their presence</b>	<b>Exhibits expected to be utilized during the examination of Witness</b>	<b>Area of Testimony</b>

In re:  
Eustace O. Uku  
Debtor

Case No. 21-21712-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Aug 10, 2021

User: dsaw  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 12, 2021:

Recip ID	Recipient Name and Address
db	+ Eustace O. Uku, 214 Farmington Road, Pittsburgh, PA 15215-1633

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BY PASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 12, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 10, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Deutsche Bank National Trust Company as Indenture Trustee for New Century Home Equity Loan Trust 2004-1 bnicholas@kmlawgroup.com
David M Nernberg	on behalf of Creditor Charles A. Jr. Knoll dmn@nernberg.com
Donald R. Calaiaro	on behalf of Debtor Eustace O. Uku dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com; ssimmons@c-vlaw.com; mpeduto@c-vlaw.com; rfeil@c-vlaw.com; eratti@c-vlaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov

District/off: 0315-2

User: dsaw

Page 2 of 2

Date Rcvd: Aug 10, 2021

Form ID: pdf900

Total Noticed: 1

Ronda J. Winnecour

[cmecf@chapter13trusteedpa.com](mailto:cmecf@chapter13trusteedpa.com)

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC [ecfpeoples@grblaw.com](mailto:ecfpeoples@grblaw.com) [Equitablebankruptcy@peoples-gas.com](mailto:Equitablebankruptcy@peoples-gas.com)

TOTAL: 7